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development of law well enough to enable one man, or set of men, to grasp in outline the history of law. The valuable books of the present day must, we believe, be those which confine themselves to some one legal institution, or one branch of the law, and show after exhaustive original research its development. Mr. COHN, it seems to us, has demonstrated that what he has attempted to do cannot be satisfactorily accomplished in the present state of our knowledge, and certainly not within the compass of a volume of 250 pages, because an outlined sketch of legal development at the present day would necessitate much original work. Mr. COHN has evidently read with great care, as his citations show, all books published bearing on the subject. But while many of his suggestions are to us interesting he has evidently not carried on any original research. This fact, however, does not prevent him from expressing what may prove to be correct opinions on many subjects. In one instance, where he maintains that consideration was as essential to a contract under the Roman law as under the common law, he differs with one of the greatest authorities in legal history, Judge HARE. The value of Mr. COHN'S opinion we are left to surmise, as no authority is cited for its correctness, and there is no criticism of the numerous authorities which Judge HARE has marshaled in support of his own opinion.

The book must be relegated to that class of works which are interesting, suggestive and stimulating to farther research, but do not themselves add greatly to human knowledge. However, the very novelty of the undertaking, and the great field for future scholars, which the historical method of studying jurisprudence opens before us, commands the attention. Even if we consider that he has mistaken the scope of the work on legal development, we cannot but feel gratified that an American lawyer has so far been willing to cease worshipping the god of the "practical" as to look at the study of the law as the study of the development of man and his institutions. In closing this notice, we cannot refrain from expressing the hope that the profession in the United States will demand more and more works of this character, which deal or attempt to deal with principles and their development irrespective of whether they may or may not be useful as a convenient digest of cases.

W. D. L.

BENJAMIN'S TREATISE ON THE LAW OF SALES OF PERSONAL PROPERTY, with reference to the American Decisions and to the French Code and Civil Law. Sixth American edition, from the latest English edition. With American notes by EDMUND H. and SAMUEL C. BENNETT. Houghton, Mifflin & Company, The Riverside Press, Cambridge, 1892.

There is no text-book in the English language better known to the student and practicing lawyer than the great work of Mr. BENJAMIN. The rapidity with which each new edition is exhausted shows that the work is as necessary to-day as it was when it left the author's hands. The American editors, in the edition before us, seem to have done their work well. There is a full, though not complete, citation of cases. Yet

the cases which have been omitted are confined to those which simply reiterate old and well-settled rules of law. The plan has been adopted of putting the American notes at the end of each chapter, and treating the different subjects in the order in which they are dealt with by the author in the text. In this respect the edition differs from the one edited by CHARLES L. CORBIN, where the American notes follow the notes of the English editors. There is much to be said both for and against either plan. But it seems to us that the short chapters in Mr. BENJAMIN'S work allow the notes and the text to come, as it were, within "speaking distance" of each other, and that notes in this position, not marring the page and allowing one to read all the American decisions continuously, are an advantage; but if another edition is edited in this way, why should not a note relating to a sub-division of a chapter be printed at the end of such sub-division, and not be relegated to the end of a long chapter?

Since the profession have two apparently rival American editions of Mr. BENJAMIN'S work we may for their guidance say that the sixth and last edition by CHARLES L. CORBIN was issued in 1889; that in this edition there is a complete discussion of all the American cases up to 1882. The cases between 1882 and 1889 appear in condensed notes at the end of each chapter.

BOOKS RECEIVED.

[All books received before the first of the month are reviewed in the issue of the following month].

A TREATISE ON THE LAW OF LARCENY AND KINDRED OFFENSES. By STEWART RAPALJE. Chicago: The Wail Publishing Company, 1892.

THE LAW OF THE CANADIAN CONSTITUTION. By W. H. S. CLEMENT, B.A., LL.B. Toronto: The Carswell Company, Ltd.

PSYCHOPATHIA SEXUALIS, with especial reference to Contrary Sexual Instinct: A Medico-Legal Study. By DR. R. VON KRAFFT-EBING, Professor of Psychiatry and Neurology, University of Vienna. Authorized Translation of the Seventh Enlarged and Revised German Edition. By CHARLES GILBERT CHADDOCK, M.D., Professor of Nervous and Mental Diseases, Marion Sims College of Medicine, St. Louis; Fellow of the Chicago Academy of Medicine, etc. Philadelphia and London: The F. A. Davis Co., Publishers, 1892.

AMERICAN RAILROAD AND CORPORATION REPORTS. Vol. v. Edited and annotated by JOHN LEWIS. Chicago: E. B. Meyers and Company, 1892.

THE RAILROADS AND THE COMMERCE CLAUSE. By FRANCIS COPE HARTSHORNE. Philadelphia: University of Pennsylvania Press, 1893.